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Letter dated 3 December 2008 from the Secretary-General addressed to the President of the Security Council

I wish to refer to my letter dated 30 November 2007 (S/2007/695) informing the President of the Security Council of the progress made by the Cameroon-Nigeria Mixed Commission, and his reply of 5 December 2007 (S/2007/710), in which he took note of my intention to continue the activities of the United Nations support team to the Mixed Commission with funding from the regular budget. In the same spirit, by the present letter, I would like to inform you of the latest achievements and activities undertaken by the Mixed Commission. As you know, the United Nations established the Mixed Commission to facilitate the implementation of the 10 October 2002 ruling of the International Court of Justice on the Cameroon/Nigeria boundary dispute. Through my good offices, and with the support of the United Nations Secretariat, I have continued to facilitate the implementation of the ruling of the International Court of Justice.

The mandate of the Mixed Commission includes supporting the demarcation of the land boundary and delineation of the maritime boundary, facilitating the withdrawal and transfer of authority along the boundary, addressing the situation of affected populations and making recommendations on confidence-building measures. In the course of 2008, the Mixed Commission has been able to facilitate the process smoothly and peacefully, and to keep an open dialogue and communication between the two countries. The following are some of the activities for which the United Nations support team to the Mixed Commission has provided substantive, technical and logistical support.

Achievements to date in the implementation of the ruling of the International Court of Justice include withdrawal and transfer of authority in the Lake Chad area (December 2003), along the land boundary (July 2004) and in the Bakassi peninsula (June 2006). The delineation of the maritime boundary was completed in May 2007, and the boundary line transposed onto an agreed map in March 2008. Concerning the demarcation of the 1,950 kilometre land boundary, the Mixed Commission expects to complete two of four field assessments along the boundary by the end of 2008, amounting to a total assessed boundary length of approximately 1,250 kilometres, at least 180 kilometres of which require further clarification. Concerning the physical demarcation, the majority of preliminary mapping and preliminary large-scale mapping through satellite imagery have been completed, as has the contract which provides survey control stations used to carry out the final survey of constructed pillars. The first quality assurance contract was completed in 2008.

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Reports by United Nations civilian observers monitoring the situation in areas of withdrawal and transfer of authority in the Lake Chad area, along the land boundary, and in the Bakassi peninsula have concluded that the prevailing situation concerning the rights of affected populations is satisfactory. In addition, the Mixed Commission has continued to support the formulation of confidence-building measures to ensure the security and welfare of these affected populations and promote initiatives to enhance trust between the two Governments and their people. Initiatives on social amenities within the Lake Chad area continue to be promoted, and support for resource mobilization for the Lake Chad Basin Commission was provided in 2008.

In accordance with the Greentree Agreement of 12 June 2006, the transfer of authority from Nigeria to Cameroon of the remaining "Zone" of the Bakassi peninsula was successfully completed on 14 August 2008, marking a critical milestone in the implementation of the ruling of the International Court of Justice and the peaceful resolution of the boundary dispute between the two countries. In preparation for the handover, the follow-up Committee, which was established to monitor the implementation of the Greentree Agreement, continued to hold regular meetings preceded by field visits. The Committee met once on 11 July 2008 in Geneva, and plans to meet again in the course of December 2008.

In 2009, the Mixed Commission will continue to provide Cameroon and Nigeria with surveying and cartographic support to facilitate the joint field assessment in connection with the demarcation of the land boundary. The Mixed Commission expects to cover the remaining length of the land boundary field assessment in 2009. It will oversee the implementation of projects by external contractors, including the start of boundary pillar emplacement, which should be completed in 2011. Following a request from the parties, the Mixed Commission intends to provide, in 2009, substantive guidance and engage in legal and technical capacity-building with Cameroon and Nigeria with a view to facilitating, by 2010, the resolution of areas of disagreement arising from the field assessment. All remaining land boundary demarcation activities are expected to be completed by 2012.

With regard to the maritime boundary, negotiations are expected to continue in 2009 to help Cameroon and Nigeria agree on modalities for exchanging information on the exploitation of oil and gas fields in the vicinity of the maritime boundary, paving the way for cross-border cooperation in this field in the near future.

Meanwhile, in 2009, United Nations civilian observers will continue to monitor the situation of affected populations in the Lake Chad area, along the land boundary and in the Bakassi peninsula. In Bakassi, the Greentree Agreement provides for a special transitional regime of five years in the "Zone" during which special legal protection shall be granted to Nigerian residents, an arrangement which will require continued monitoring and reporting by United Nations observers. Moreover, the Nigerian Government has called upon the United Nations to provide coordinated assistance and support to its voluntary repatriation programme for the transfer of its citizens from Bakassi. The Chairman of the Mixed Commission shall ensure leadership in the coordination of United Nations supported projects implemented by United Nations country teams operating in Cameroon and Nigeria.

In addition, the United Nations will continue to advise the parties on the implementation of confidence-building measures and projects to promote joint

economic ventures, cross-border cooperation and environmental safeguards, all of which are necessary to ensure the sustainability of good neighbourliness between them. Key areas identified for action by the Governments and their partners include food security, education, health, water and basic infrastructure, including the rehabilitation of the Mutengene-Abakaliki cross-border road. Ongoing support to the Lake Chad Basin Commission will be required, taking into consideration the provisions of Security Council resolution 1325 (2000) on women and peace and security, as and when appropriate.

After 2009, the following activities will conclude the work of the Mixed Commission:

(a) Assisting the parties in addressing remaining areas of disagreement arising from the field assessment;

(b) Coordinating and certifying demarcation contracts, including the completion of pillar emplacement by 2011, and all remaining land boundary demarcation activities by 2012;

(c) Following up and supporting the activities of the Lake Chad Basin Commission and the Gulf of Guinea Cooperation Council;

(d) Promoting cross-border cooperation, including maritime cooperation on oil and gas fields straddling boundaries and joint security monitoring along the land boundary, and reviving the Joint Bilateral Commission which existed between the two countries;

(e) Implementing exit strategies by handing over the activities of the Mixed Commission to the Joint Bilateral Commission and other subregional structures.

I would like to underscore that, up to 2003, the Mixed Commission was funded entirely from extrabudgetary funds. During the period from 2004 to 2007, the activities of the Mixed Commission were funded through the United Nations regular budget. The Governments of Austria, Brazil, Canada, Italy, Norway, Pakistan, Sweden and Uruguay have provided in kind support for the substantive and technical work of the CNMC (military and legal experts), in addition to the logistical support provided by the Governments of Cameroon and Nigeria, and the voluntary contributions of the two countries, Cameroon and Nigeria, as well as of Canada, the United Kingdom of Great Britain and Northern Ireland and the European Union to the trust fund for the demarcation activities.

Given the cost-effectiveness of the mission and the important tasks remaining at this juncture to help advance the peaceful implementation of the ruling of the International Court of Justice, it is my intention to ask for resources from the regular budget for the Mixed Commission for the period from 1 January to 31 December 2009.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon